

PLANNING COMMISSION OF MONTEREY PARK AGENDA

REGULAR TELECONFERENCE MEETING

**TUESDAY
OCTOBER 26, 2021
7:00 PM**

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.

GENERAL INFORMATION

Documents related to an Agenda item are available to the public in the Department of Public Works located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at <http://www.montereypark.ca.gov/AgendaCenter>.

PUBLIC PARTICIPATION

In accordance with Government Code § 54953(e) and City Council resolution, remote public participation is allowed in the following ways:

Via Email

Public comment will be accepted up to 24 hours before the meeting via email to ssizemore@montereypark.ca.gov and, when feasible, read into the record during public comment. Written communications are limited to not more than 50 words.

Via Telephone

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (888) 788-0099 or (877) 853-5247 and entering Zoom Meeting ID: **867 5982 0203** then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter “*9” then the Department of Public Works office will be notified, and you will be in the rotation to make a public comment. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda item. Speakers will not be allowed to combine time. The Chair and Commission/Board Members may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Important Disclaimer

When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at 626-307-1320 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

ASSEMBLY BILL NO. 361

These meetings will be conducted pursuant to Government Code § 54953(e) as implemented by City Council Resolution.

Accordingly, Commissioners/Board Members will be provided with a meeting login number and conference call number; they will not be physically present at City Hall Council Chambers.

Pursuant to the Governor's order, the public may provide public comment utilizing the methods set forth below.

Note that City Hall is currently closed to the public. You will not be admitted to City Hall.

CALL TO ORDER

Chairperson

FLAG SALUTE

Chairperson

ROLL CALL

Tammy Sam, Ricky Choi, Dr. Kevin K. Lo, Peter Fung

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS (Related to Items NOT on the Agenda). While all comments are welcome, the Brown Act does not allow the Commission to take action on any item not on the agenda. The Commission may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the Commission's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

ORAL AND WRITTEN COMMUNICATIONS

[1.] PRESENTATIONS

[2.] CITY OF MONTEREY PARK- CONSENT CALENDAR

2-A. APPROVAL OF MINUTES

It is recommended that the Planning Commission:

- (1) Approve the minutes from the regular meeting of October 12, 2021; and
- (2) Take such additional, related, action that may be desirable.

[3.] PUBLIC HEARING

3-A. CONDITIONAL USE PERMIT (CU-21-03) TO ALLOW A PRESCHOOL AND AN ADDITION OF A PLAYGROUND - 125-129 N. CHANDLER AVENUE

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;

- (3) Closing the public hearing;
- (4) Adopting the Resolution approving the requested Conditional Use Permit (CUP-21-03), subject to conditions of approval contained therein; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The proposed project is categorically exempt from the provision of the California Environmental Quality Act (CEQA) per State CEQA guidelines CEQA Guidelines § 15301 (Class 1 – Existing Facilities), because the project has no expansion of an existing or former use. The project consists of a conditional use permit for operating a Preschool within an existing building; no physical changes to the existing building are proposed. The project consists of physical improvements to the site; new playground, new parking lot landscaping & striping, new fencing, and new trash enclosure. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment

[4.] OLD BUSINESS – None

[5.] NEW BUSINESS

5-A. PRESENTATION BY DEPUTY CITY ATTORNEY ON PLANNING COMMISSION DUTIES

It is recommended that the Planning Commission:

- (1) Receive presentation from Deputy City Attorney; and
- (2) Take such additional, related, action that may be desirable.

[6.] COMMISSION COMMUNICATIONS

ADJOURN

Next regular scheduled meeting is on November 9, 2021.

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
October 12, 2021**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, October 12, 2021 at 7:00 p.m.

CALL TO ORDER:

Chairperson Choi called the Planning Commission meeting to order at 7:02pm.

ROLL CALL:

Administrative Secretary Cristina Garcia called the roll:

Board Members Present: Ricky Choi, Theresa Amador, Tammy Sam, Dr. Kevin Lo, Peter Fung

Board Members Absent: None

ALSO PRESENT: Cristina Garcia, Administrative Secretary, Jeffrey Rimando, Assistant Planner, Steve Sizemore, Interim Director of Community & Economic Development, Frank Lopez, Director of Public Works, Joaquin Vazquez, Deputy City Attorney

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS: None

[1.] PRESENTATIONS:

1-A INTRODUCTION OF NEW INTERIM DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT – STEVEN SIZEMORE

Chairperson Choi welcomed Steve Sizemore as Interim Director of Community & Economic Development.

Director Sizemore introduced himself.

[2.] CONSENT CALENDAR:

2-A APPROVAL OF MINUTES FROM THE PLANNING COMMISSION MEETING FROM SEPTEMBER 14, 2021

Action Taken: The Planning Commission approved the minutes from the Planning Commission meeting from September 14, 2021.

Motion: Moved, by Commissioner Sam and seconded by Commissioner Lo, motion carried by the following vote:

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

Ayes: Commissioners: Choi, Sam, Lo, Fung

Noes: Commissioners:

Absent: Commissioners:

Abstain: Commissioners: Amador

[3.] PUBLIC HEARING: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS:

5-A SELECTION OF CHAIR AND VICE-CHAIR

Chairperson Choi clarified the voting process and opened nominations for chair.

Commissioner Lo nominated Commissioner Sam for Chair. Commissioner Amador seconded.

Action Taken: The Planning Commission appointed Commissioner Sam as the Chairperson.

Motion: Moved, by Commissioner Lo and seconded by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Choi, Amador, Sam, Lo, Fung

Noes: Commissioners:

Absent: Commissioners:

Abstain: Commissioners:

Chairperson Sam opened nominations for Vice-Chair.

Commissioner Lo nominated Commissioner Fung for Vice-Chair. Commissioner Fung declined.

Commissioner Lo nominated Commissioner Choi for Vice-Chair. Commissioner Amador seconded.

Action Taken: The Planning Commission appointed Commissioner Choi as the Vice Chairperson.

Motion: Moved, by Commissioner Lo and seconded by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Choi, Amador, Sam, Lo, Fung

Noes: Commissioners:

Absent: Commissioners:

Abstain: Commissioners:

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

5-B DISCUSSION OF UPCOMING LAND USE AND ETHICS TRAINING

Deputy City Attorney Vazquez provided a verbal presentation on this item. Explained that Commissioners, when first sworn into office, should receive ethics training within their first year. Subsequently, it should be every 2 years while they are in office. The attorney asked the Commissioners for the dates of their training in order to assess training at a future meeting.

Chairperson Sam stated that she was part of the Design Review Board for two years and were not subjected to the Brown Act. Stated that she has been on the Planning Commission for a year and a half and has not received training.

Commissioner Lo stated that he has been on the Planning Commission for a year and half and has not received training.

Commissioner Amador stated that she has been on the Planning Commission since 2016 and believes the last training was approximately two years ago.

Commissioner Fung stated that he is new and has not received any training.

Vice Chairperson Choi stated that he has been on the commission since 2013 and received training in 2017.

Deputy City Attorney Vazquez stated that all commissioners are due for ethics training and will work with Director Sizemore to arrange a special meeting.

Vice Chairperson Choi asked if the ethic training could be done online. Deputy City Attorney Vazquez responded that there are opportunities online, however, there may be a charge. Arrangements will be made for in house participation.

Director Sizemore acknowledged that this is Planner Rimando's last meeting with the city. Director Lopez also wanted to acknowledge Planner Rimando's departure.

Commissioner Amador announced that this is her last meeting. She has submitted her formal resignation to her Councilperson.

Commissioner Fung brought up SB-9 and asked how staff will address this. Director Sizemore stated that staff is still digesting the new bill as it will be a high priority on drafting local ordinances that will protect the community. Deputy City Attorney Vazquez explained that the commissioners will learn more about the Brown Act and clarified that SB-9 is mandating ministerial lot splits of single-family lots allowing for duplexes. Stated that as part of the land use training, updates on SB-9 and other housing bills that have been adopted by the Legislature will be provided.

Vice Chairperson Choi asked about the Celadon Project, formerly the Monterey Park Towne Center. Questioned why this project did not need to come before the Planning Commission. Director Sizemore responded that the BRDZ zoning that the city council adopted allows the

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

development to occur but only under specific development agreement. Director Lopez mentioned that it is part of the business recovery program that the city put into place in response to COVID. Chairperson Sam asked if future developments will come before the Commission or will they go straight to City Council. Director Lopez responded that there are a few items that go directly to council, as developer agreement related items. Stated that Director Sizemore and Deputy City Attorney Vazquez will look into it bringing more information on this to the Commission.

Commissioner Lo asked if they will be informed of the scheduling of the training. Deputy City Attorney Vazquez replied that they will be targeting the land use training for the next Commission meeting on the 26th October.

[6.] COMMISSION COMMUNICATIONS AND MATTERS: None

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 7:36pm.

Steven Sizemore
Interim Director of Community and Economic Development

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community



Planning Commission Staff Report

DATE: October 26, 2021

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Steven Sizemore, Interim Director of Community & Economic Development
SUBJECT: A public hearing to consider Conditional Use Permit CU-21-03 to allow operation of a preschool with additional playground at 125-129 North Chandler Avenue.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) After considering the evidence received during the public hearing, adopting a resolution approving the requested Conditional Use Permit (CU-21-03), subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The proposed project is categorically exempt from the provision of the California Environmental Quality Act ("CEQA") per State CEQA guidelines CEQA Guidelines § 15301 (Class 1 – Existing Facilities), because the project has no expansion of an existing or former use. The project consists of a conditional use permit for operating a preschool within an existing building; no physical changes to the existing building are proposed. The project consists of physical improvements to the site; new playground, new parking lot landscaping & striping, new fencing, and new trash enclosure. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment.

EXECUTIVE SUMMARY:

The applicant is requesting approval of a conditional use permit for the operation of a preschool within an existing building at 125-129 North Chandler Avenue (the "Site"). Pursuant to Monterey Park Municipal Code ("MPMC") § 21.10.030, a preschool is a conditionally permitted use, and based upon the applicant's conditional use permit application to operate a preschool, the proposed use is consistent with the MPMC and the General Plan.

TYPE OF ACTION (LEGISLATIVE; QUASI-JUDICIAL; OR ADVISORY)

Quasi-judicial: The recommended action includes consideration of whether to issue a CUP. In considering such actions, the Planning Commission acts in a quasi-judicial role. In doing so, the Planning Commission acts like a court: it applies facts gathered during a public hearing to existing law. Just like a court, the Planning Commission can only consider facts that are relevant to the case. A party appearing before the legislative body is entitled to

- Notice of the proposed action;
- Reasons for the action;
- A copy of the evidence on which the action is based; and
- The right to respond before a reasonably impartial, noninvolved reviewer.

If the Planning Commission asks irrelevant questions and bases its decision-making on such questions, a court may overturn the Planning Commission decision and hold the City potentially liable for violating the applicant's constitutionally protected due process rights.

In this matter, the Planning Commission must make these findings:

- That the project property is adequate in size, shape and topography for the proposed use including without limitation, any required yards, walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards prescribed in the Monterey Park Municipal Code ("MPMC");
- That the project property has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;
- That the proposed project is consistent with the General Plan and any applicable specific plan;
- That the proposed project will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City;
- That the proposed project will not have an adverse effect on the public health, safety and general welfare; and
- That the project is properly one authorized by conditional use permit pursuant to the MPMC.

These findings are included in the attached draft resolution.

BACKGROUND AND DISCUSSION:

Ms. Annie Chen of Starkids Preschool ("Applicant") is requesting approval of a CUP to operate a preschool located at the Site which is zoned per MPMC § 21.10.020 (Commercial Zones) under R-S (Regional Specialty Center) and designated as mixed use in the General Plan.

The Site is located 5 parcels north of West Garvey Avenue and West of North Chandler Avenue. The property is 21,963 square feet (.50 acres) in size and is developed with a one-story building with parking located north of the building. Properties located to the north, south, and west are zoned for R-S (Regional Specialty Center). The properties located east are zoned for R-3 (High-Density Residential). Properties located to the north include a one-story medical clinic, east are multi-unit residences, and south and west is a commercial plaza.

The Project does not propose any physical changes to the existing building. The Project proposes physical improvements on the site. This includes a new playground, new landscaping and parking striping, new fencing, and a new trash enclosure. The new playground is proposed towards west of the existing parking lot. There is an existing 6' masonry wall enclosing the playground area from the commercial plaza.

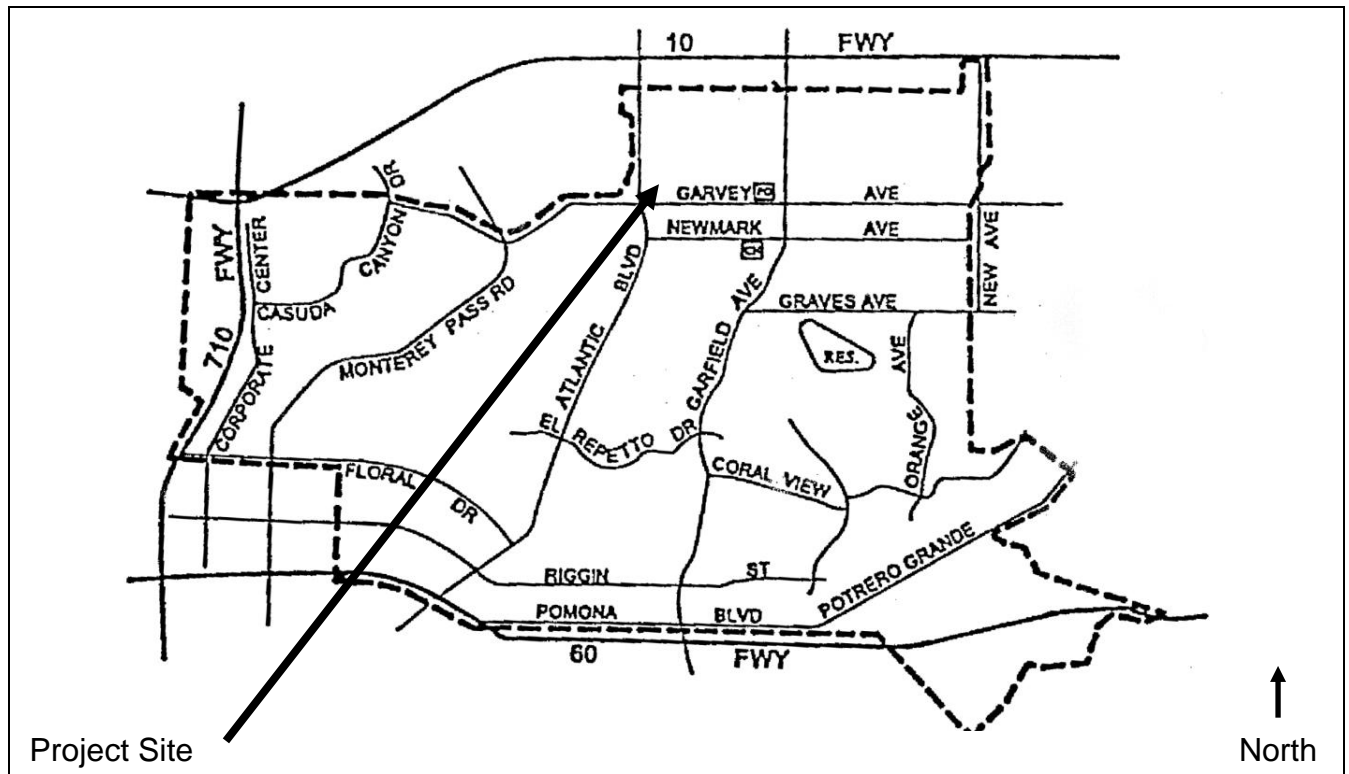
The structure on the Site is 5,919 square feet and includes four restrooms, eight classrooms, a music room, two activity rooms, a storage room, an office, a kitchen/teacher's lounge, and an open lobby area. The Applicant proposes to operate a preschool with hours of 7:30 a.m. to 6:30 p.m. Monday through Friday. There will be six teachers, including staff, and up to sixty students.

The MPMC requires that the proposed Project provide at least 16 parking spaces; the Project provides 21 spaces. The existing driveway consists of one driveway cut. The Site is accessible from North Chandler Avenue. Staff will require the applicant to provide a pickup/drop off plan as part of the conditions of approval. Please refer to Condition #11.

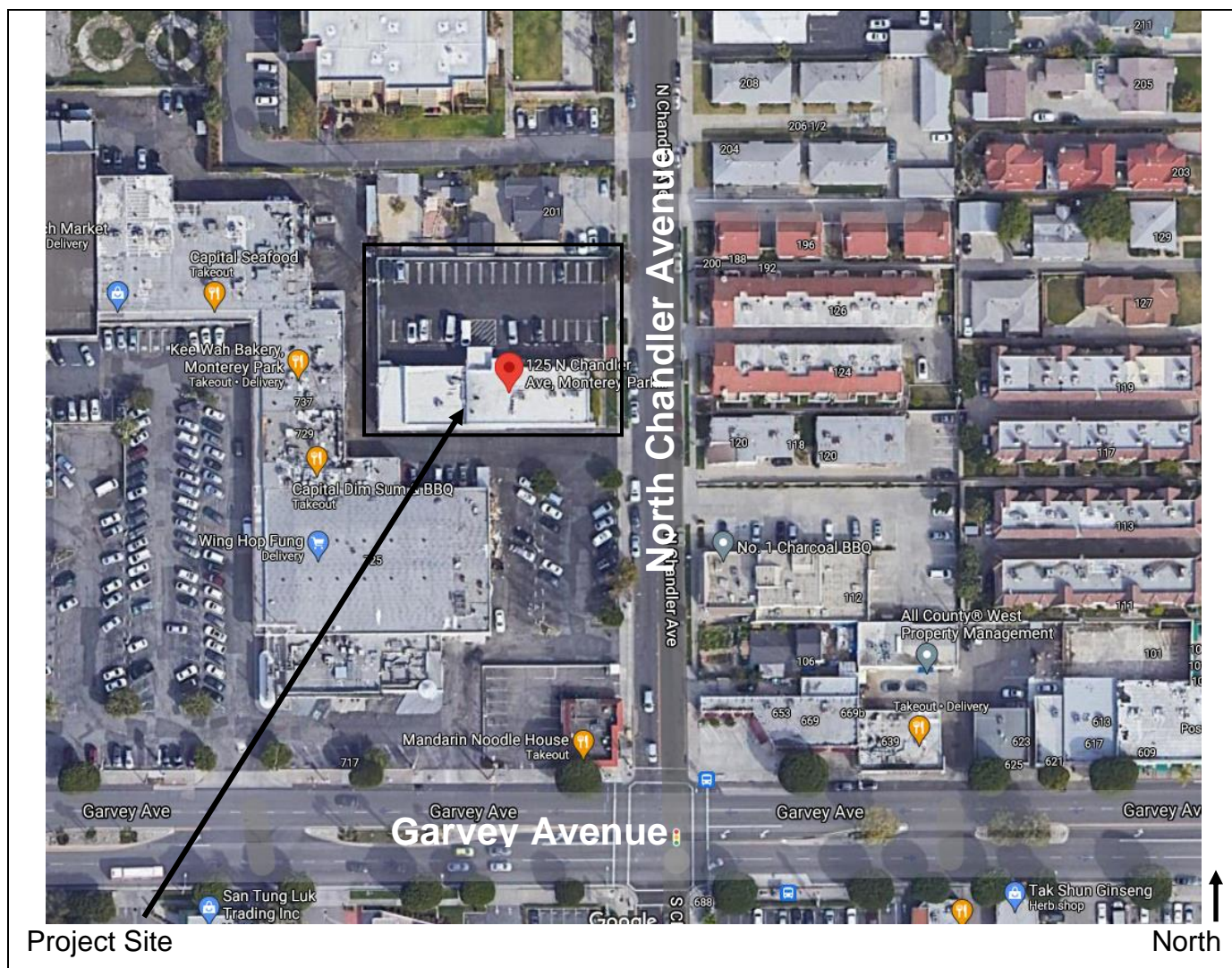
Legal Notification

The legal notice of this hearing was posted at City Hall and published in M.P. Progress on October 15, 2021., with affidavits of posting on file. The legal notice of this hearing was mailed to 73 property owners within a 300 foot radius and current tenants of the property concerned on October 13, 2021.

Vicinity Map



Aerial Map



FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,

Steve Sizemore, Interim
Community and Economic
Development Director

Prepared by:

Kevin Tan
Planning Intern

Reviewed by:

Joaquin Vazquez
Deputy City Attorney

ATTACHMENTS:

- Attachment 1: Draft Resolution
- Attachment 2: Draft Conditions of Approval
- Attachment 3: Site, Floor, and Elevation Plans

RESOLUTION NO.

**A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-21-03)
TO PERMIT OPERATION OF A PRESCHOOL AT 125-129 NORTH
CHANDLER AVENUE.**

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On June 24, 2021, Annie Chen of Starkids Preschool (“Applicant”), submitted an application pursuant to Monterey Park Municipal Code (“MPMC”) §§ 21.12.020 and 21.32.020, requesting approval of Conditional Use Permit (CU-21-03) to permit the operation of a preschool at 125-129 North Chandler Avenue (“Project”);
- B. The proposed Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the MPMC, including Ordinance No. 2190 and MPMC § 21.32];
- C. In addition, the City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”);
- D. The City Planner completed its review and scheduled a public hearing regarding the Project before the Planning Commission for October 26, 2021. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On October 26, 2021, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its October 26, 2021 hearing including, without limitation, the staff report submitted by the Interim Community and Economic Development Director.

SECTION 2: *Factual Findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. The Applicant seeks approval to operate a preschool, subject to a conditional use permit. The Project will take place within a 5,919-square-foot tenant space located within an existing tutoring building. No new construction or additional square footage is proposed to the building. The Project consists of physical improvements to the site; new playground, new parking lot landscaping and striping, new fencing, and new trash enclosure.

PLANNING COMMISSION
RESOLUTION NO. _____
PAGE 2 OF 6

- B. 125-129 North Chandler Avenue is zoned Regional Specialty Center (R-S) and designated mixed use in the General Plan. The lot is adjacent east to a residential zone. The property is located in the North Atlantic Focus Area and one of the goals (Goal 21) of the Focus Area is to establish the North Atlantic as a gateway that combines hospitality, retail and commercial services, culture and arts, entertainment, and residential uses. The proposed use is consistent with the uses encouraged by the Focus Area. Properties located to the north include a one-story medical clinic, east are multi-unit residences, and south and west is a commercial plaza. The properties to the north, south, and west are also zoned Regional Specialty Center (R-S) and permit the same land uses.
- C. The Project site is located 5 parcels north of West Garvey Avenue and west of North Chandler Avenue. The property is 21,963 square feet (approximately 0.5 acres) in size, rectangular shaped, relatively flat. It is currently developed with an existing one-story building with parking located north of the building. The subject property is accessible from North Chandler Avenue and includes 21 on-site parking spaces.

SECTION 3: Environmental Assessment. Based upon the factual findings in Section 2, the Project is categorically exempt from CEQA per CEQA Guidelines § 15301 (Class 1 – Existing Facilities) because the Project involves no expansion of an existing or former use. The Project consists of a conditional use permit for operating a preschool within an existing building; the project consists of physical improvements to the site: new playground, new parking lot landscaping and striping, new fencing, and new trash enclosure; no physical changes to the existing building, are proposed. Furthermore, it can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Conditional Use Permit for R-S Zone – City Planner Findings. Based upon the facts in Section 2 and pursuant to MPMC § 21.10.030, before submitting this application to the Planning Commission, the City Planner determined that the Project complies with the following findings:

- A. The Project meets the intent of, and is consistent with the goals, objectives and policies of the mixed use land use designation of the General Plan as it serves as a commercial center;
- B. The Project meets the stated purpose and general intent of the R-S (Regional Specialty Center) zone in which the use is proposed to be located. It does this by serving both local residents and the surrounding region as a commercial center;
- C. The Project does not adversely impact the public health, safety and general welfare of the City's residents;

PLANNING COMMISSION
RESOLUTION NO. _____
PAGE 3 OF 6

- D. The Project shares characteristics common with, and is not of greater intensity or density, nor does it generate more environmental impact, than those uses listed in the permitted uses in the MPMC. MPMC § 21.10.030 sets out the permitted uses in the R-S zone. Specifically, it conditionally permits “private schools” with a conditional use permit. Moreover, the proposed use (1) will be conducted totally within a completely enclosed building; (2) will not engage in outdoor storage, loading and unloading in any side yard, or the overnight parking of vehicles; (3) will not produce or cause or emit any dust, gas, smoke, glare, noise, fumes, odors, electromagnetic emanations or vibrations which are or may be detrimental to the health, safety, welfare and peace of the City and its residents and businesses; (4) will not require the use or storage of hazardous materials; and (5) will neither create nor allow the creation of noise which causes the noise level to exceed the applicable noise standards set forth in the MPMC (see MPMC § 21.10.030; and
- E. The site is accessible from North Chandler Avenue, a minor arterial street. The required number of parking spaces for a private school use is 1.5 spaces per classroom; plus 1 space for every 2 employees and faculty members, according to MPMC § 21.22.120.
- F. Staff will require the applicant to provide a pickup/drop off plan as part of the conditions of approval.

SECTION 5: Conditional Use Permit – Planning Commission Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC § 21.32.020:

- A. The site will be adequate in size, shape and topography for the proposed computer and information technology business college. The lot is 21,963 square feet (.50 acres) in area, rectangular shaped, and relatively flat. The property is developed with an existing one-story tutoring building, and 21 at-grade parking spaces accessible from North Chandler Avenue. The proposed preschool use will occupy the existing 5,919-square-foot building.
- B. The site has sufficient access to streets and highways and is adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed business college. Adequate parking is provided on the property and the project does not include new construction or additional square footage towards the existing building.
- C. The proposed use is consistent with the General Plan and any applicable specific plan. MPMC § 21.10.030 allows a private school use, subject to a conditional use permit, in the commercial R-S (Regional Specialty Center) Zone. The subject property is designated mixed use in the General Plan Land Use Element, and the mixed use land use category allows a combination of compatible retail, entertainment, office,

residential, hotel, civic, cultural, and recreation uses that establish authentic physical environments. Education facilities considered appropriate include private schools and similar facilities supporting businesses within the district. The private preschool is consistent with the General Plan in that the mixed use land use category allows for private schools. The property is located in the North Atlantic Focus Area. The City's goal is to recreate North Atlantic as a gateway corridor through zoning regulations, development incentives, and redevelopment efforts. One of the goals (Goal 21) of the Focus Area is to establish the North Atlantic as a gateway that combines hospitality, retail and commercial services, culture and arts, entertainment, and residential uses. The proposed use is consistent with the uses encouraged by the Focus Area.

- D. The proposed use will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City. A pickup/drop off plan will be provided by the applicant to address these issues. Said plan shall be approved by the City Planner. The proposed private school use will not have adverse affects on the enjoyment or valuation of neighboring properties. Properties located to the north include a one-story medical clinic, east are multi-unit residences, and south and west is a commercial plaza. The properties to the north, south, and west are also zoned R-S (Regional Specialty Center) and permit the same land uses.
- E. The private preschool will occupy an existing tutoring building. No new construction or addition of square footage is proposed. The Police Department has included conditions numbers 13 through 16 in the Resolution to address security and alarm requirements. The proposed private preschool use will not have an adverse effect on the public health, safety and general welfare.
- F. MPMC § 21.10.030 allow a private school, subject to a conditional use permit, to operate within the R-S (Regional Specialty) Zone. The use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the zoning regulations in the MPMC.

SECTION 6: *Approval.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Conditional Use Permit (CU-21-03).

SECTION 7: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

PLANNING COMMISSION
RESOLUTION NO. _____
PAGE 5 OF 6

SECTION 8: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 11: A copy of this Resolution will be mailed to Ms. Annie Chen and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within 10 calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 13: Except as provided in Sections 10 and 12, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 26th day of October 2021.

Chairperson Tammy Sam

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 26th day of October 2021, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

PLANNING COMMISSION
RESOLUTION NO. _____
PAGE 6 OF 6

Steven Sizemore, Interim Community and
Economic Development Director

APPROVED AS TO FORM:
Karl H. Berger, City Attorney

By: _____
Joaquin Vazquez, Deputy City Attorney

PLANNING COMMISSION RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

125-129 NORTH CHANDLER AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), including Ordinance No. 2190 and MPMC § 21.32, Starkids Preschool, will comply with the following conditions of approval for Conditional Use Permit (CU-21-03) ("Project Conditions").

PLANNING:

1. Starkids Preschool (the "Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of CU-21-03 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of CU-21-03, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. The conditional use permit expires twelve months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A total of a year extension may be granted by the Planning Commission upon finding of good cause. An application requesting an extension must be filed with the City Planner, or designee.
3. The Project is approved and must be developed and/or used in substantial conformity with, the plans on file with the City as of the date of this Resolution and as subsequently approved by the City's Building Official, unless revisions and/or additional conditions are specifically required by these Project Conditions.
4. The Applicant and property owner are responsible for maintaining the area adjacent to the business location and the site in general, including any parkways and alleys.
5. The Applicant and property owner must maintain the subject property free of graffiti. Failure of the Applicant to remove graffiti within 24 hours written notice by the City will cause the City to abate the graffiti at the cost of the Applicant.
6. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which any building permit is issued.

PLANNING COMMISSION
RESOLUTION NO. _____

7. Before any necessary building permits are issued, the Applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
8. Building permits are required for any interior tenant improvements.
9. The Applicant and property owner must maintain landscaping/irrigation on the property in good condition at all times.
10. A copy of the Conditions of Approval for Conditional Use Permit (CU-21-03) must be kept on the premises of the establishment and presented to any authorized City official upon request.
11. Staff will require the applicant to provide a pickup/drop off plan as part of the conditions of approval. Said plan shall be approved by the City Planner.

FIRE:

12. All conditions identified by the Fire Department must be subject to review and approval by the Fire Chief, or designee, for determination of applicability and extent to which any condition may be required.
13. An approved manual and automatic fire alarm system must be provided. If the building is fire sprinklered, a full notification system is required only. California Fire Code, as adopted by the MPMC ("CFC") § 907.2.3.8
14. An approved carbon monoxide alarm system must be provided if there are any fossil fueled appliances. CFC § 915.2.3
15. All exit doors must be equipped with either lever or panic hardware. CFC § 1010.1.9.4
16. Knox box(es) must be provided at all building entry points. CFC § 506.1
17. If "as-built" plans are required, additional fees will be due for the review of the drawings.

POLICE:

18. The business must be equipped with an alarm system that covers break-ins and robberies. The alarm must be monitored by an alarm monitoring company who will notify the Monterey Park Police of any break-ins or robberies. Employees must have access to a hidden button that will trigger a silent alarm, notifying the alarm monitoring company that a robbery is taking place. The business owner/manager will obtain an alarm permit from the Monterey Park Police Department. The permit may be obtained by calling the Monterey Park Policy Community Relations Bureau at (626) 307-1215.

PLANNING COMMISSION
RESOLUTION NO. _____

19. A high-definition video surveillance camera system must cover the outer perimeter of the building, all areas of the parking lot, and the main entry door to the building. The video surveillance cameras must be on and recording at all times. The video surveillance cameras must record onto a recording medium/device and such recordings must be kept for a minimum of 30 days. All recordings must be made immediately available to any law enforcement officer if requested for official purposes. Nothing in this condition will require the business owner or responsible party from violating privacy laws, as it pertains to video surveillance cameras.

20. The business owner/manager must submit a site security/safety plan to the Chief of Police. The security/safety plan will outline the measures taken to protect the safety and well-being of the children. Items to be covered must include, without limitation:

- Means to prevent children from walking away from the school/business.
- Means to prevent unauthorized persons from entering the school/business.
- Means to prevent child abduction from the school/business.

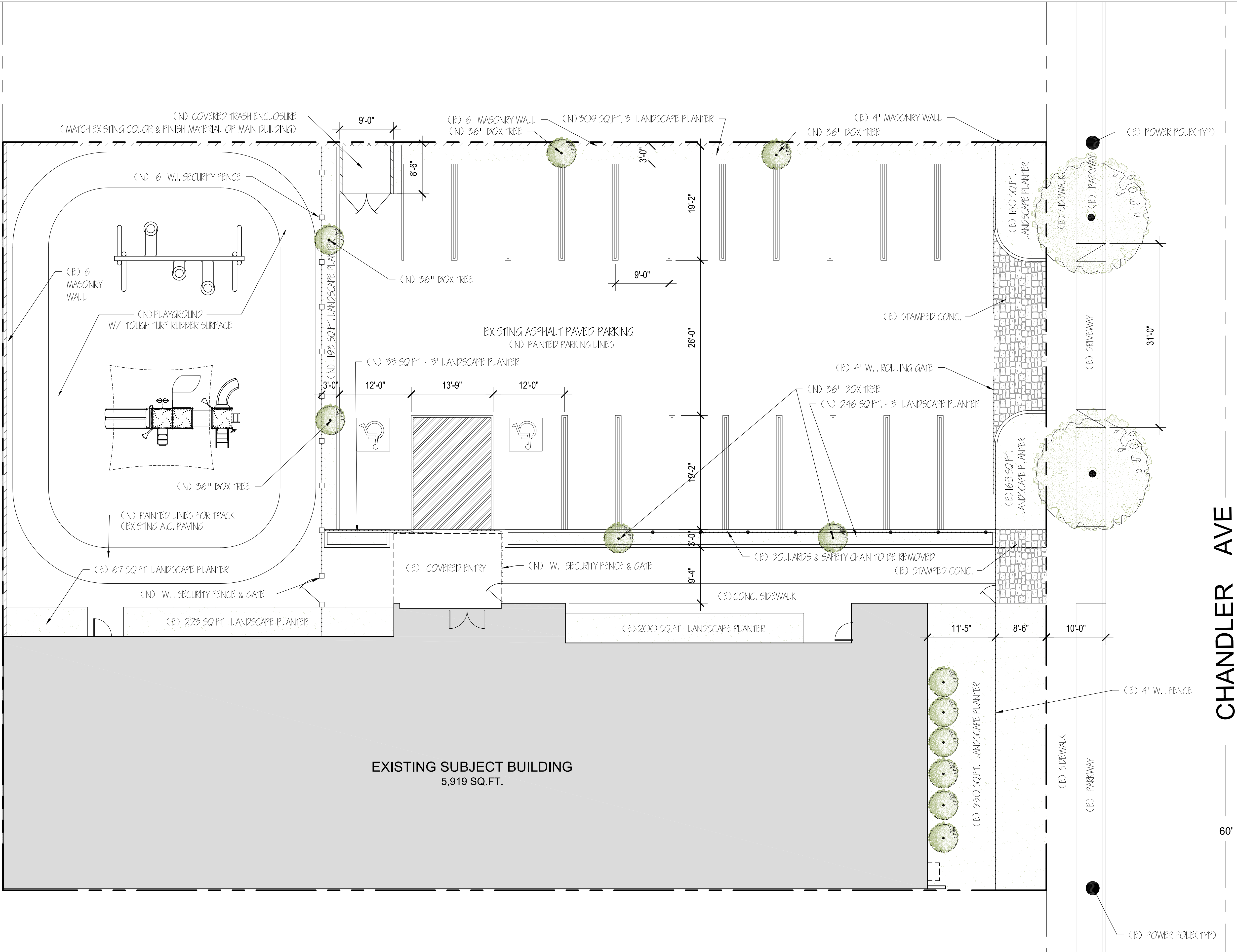
The business owner/manager is required to submit and receive approval of the Security/Safety Plan from the Chief of Police, or designee, before opening for business.

21. The Starkids Pre-School will comply with and maintain adherence to all local, state, and federal laws governing schools, to include but not limited to center licensing, child care licensing, the hiring of employees, and agents.

By signing this document, Ms. Annie Chen on behalf of Applicant, certifies that he/she has read, understood, and agrees to the Project Conditions listed in this document.

Ms. Annie Chen, for Starkids Preschool

CONDITIONAL USE PERMIT FOR STARKIDS PRESCHOOL
LOCATED AT: 125-129 N. CHANDLER AVE. MONTEREY PARK, CA. 91754

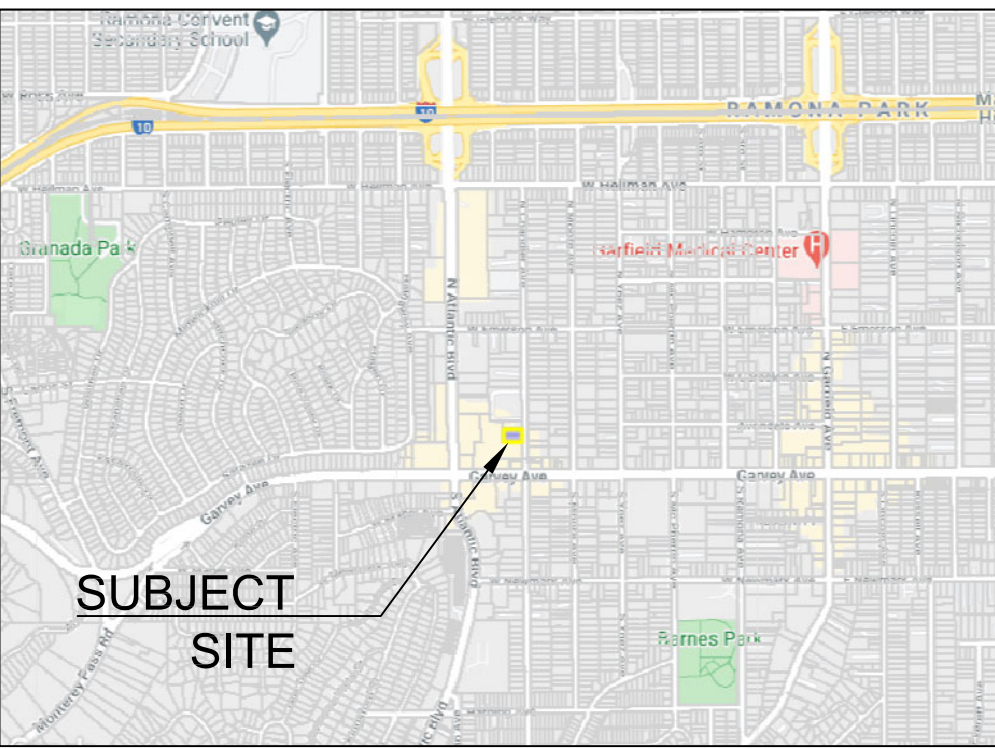


SITE ADDRESS: 125-129 N. CHANDLER AVE
MONTEREY PARK, CA. 91754
OWNER: TAN DELON & DIEH TRS DELON & TRUST
OWNER ADDRESS: 73 NAVIGATOR
IRVINE, CA. 92620
APPLICANT: STARKID PRESCHOOL
MIA QING (ANNIE) CHEN
ZONE: REGIONAL SPECIALTY CENTER (R-S)
PLANNED DEVELOPMENT OVERLAY (P-D)
APN: 5256-003-028 & 029
LEGAL DESCRIPTION: RAMONA ACRES PLAT NO 2 S 62.75
FT OF E 175 FT OF LOT 282
LOT SIZE : 125.50' X 175'
LOT AREA: 21,962.5 SQ.FT.
BUILDING AREA:
(E) BUILDING = 5,919 SQ.FT.
(N) PLAYGROUND AREA = 4,170 SQ.FT.
TOTAL PARKING:
PARKING PROPOSED:
- 21 STALLS (1 ACCESSIBLE, 1 VAN ACCESSIBLE)
PARKING REQUIRED:
- 1.5 PER CLASSROOM @ 8 CLASSROOMS = 12 STALLS
- 1 PER 2 EMPLOYEES @ 7 EMPLOYEES = 4 STALLS
16 STALLS REQUIRED
PARKING LOT LANDSCAPE AREA:
REQUIRED PARKING LOT LANDSCAPING:
- 10% AT 8,180 SQ.FT. = 818 SQ.FT.
PROVIDED PARKING LOT LANDSCAPING:
- 1,109 SQ.FT. (328 SQ.F.T EXISTING)
TOTAL LANDSCAPE AREA (PARKING LOT & SITE): 2549 SQ.FT.

PROJECT INFORMATION

CHANGE OF USE FROM LEARNING CENTER TO PRESCHOOL TO
ACCOMMODATE APPROXIMATELY 60 CHILDREN
NEW 4,170 SQ.FT. PLAYGROUND
NEW PARKING LOT LANDSCAPING & PARKING STRIPING
NEW W.I. SECURITY FENCE
NEW TRASH ENCLOSURE

SCOPE OF WORK



VICINITY MAP SCALE: NTS

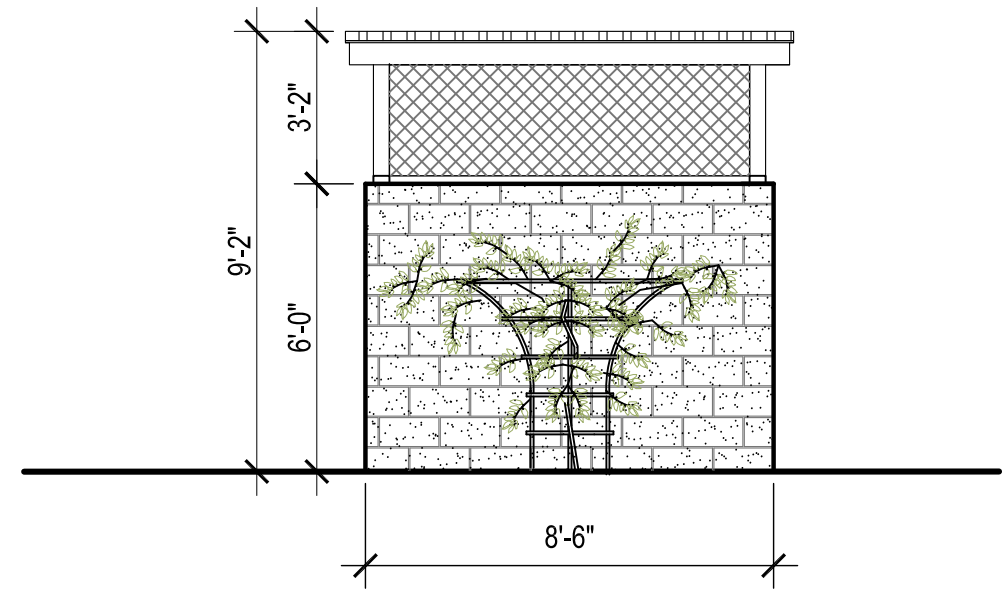
Revisions	By

JOE MORENO
(626) 350-5944
jmoreno@sgsglobal.net
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE ELMONTE, CA 91732 - FAX (626) 350-1532

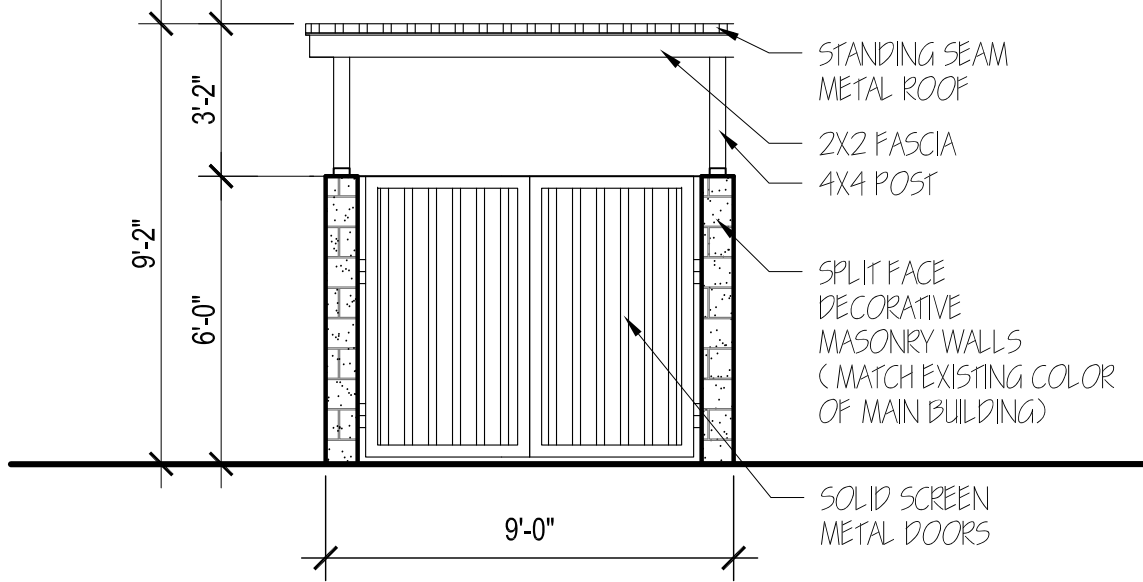
SITE PLAN

STARKID PRESCHOOL
125-129 N. CHANDLER AVE
MONTEREY PARK CA. 91754
MIAO QING (ANNIE) CHENG

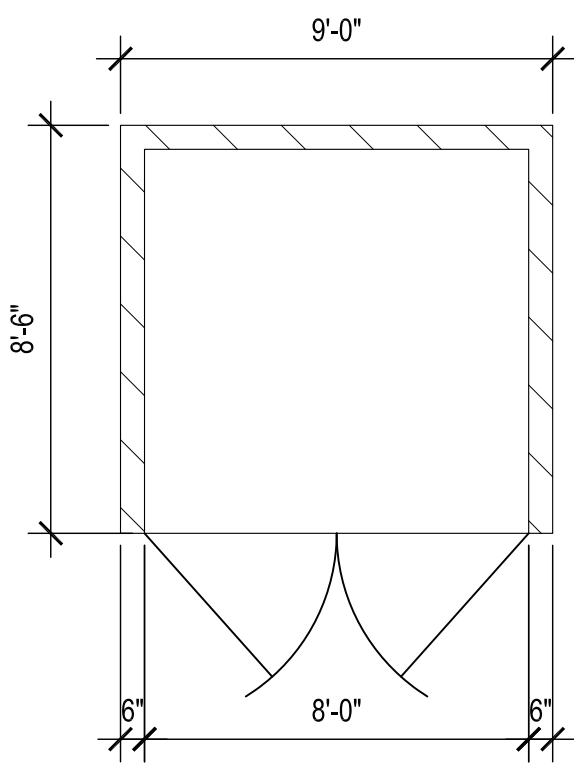
Date	3 / 16 / 2021
Scale	AS NOTED
Drawn	MORENO
Job	21-029
Sheet	A1



SIDE ELEVATION

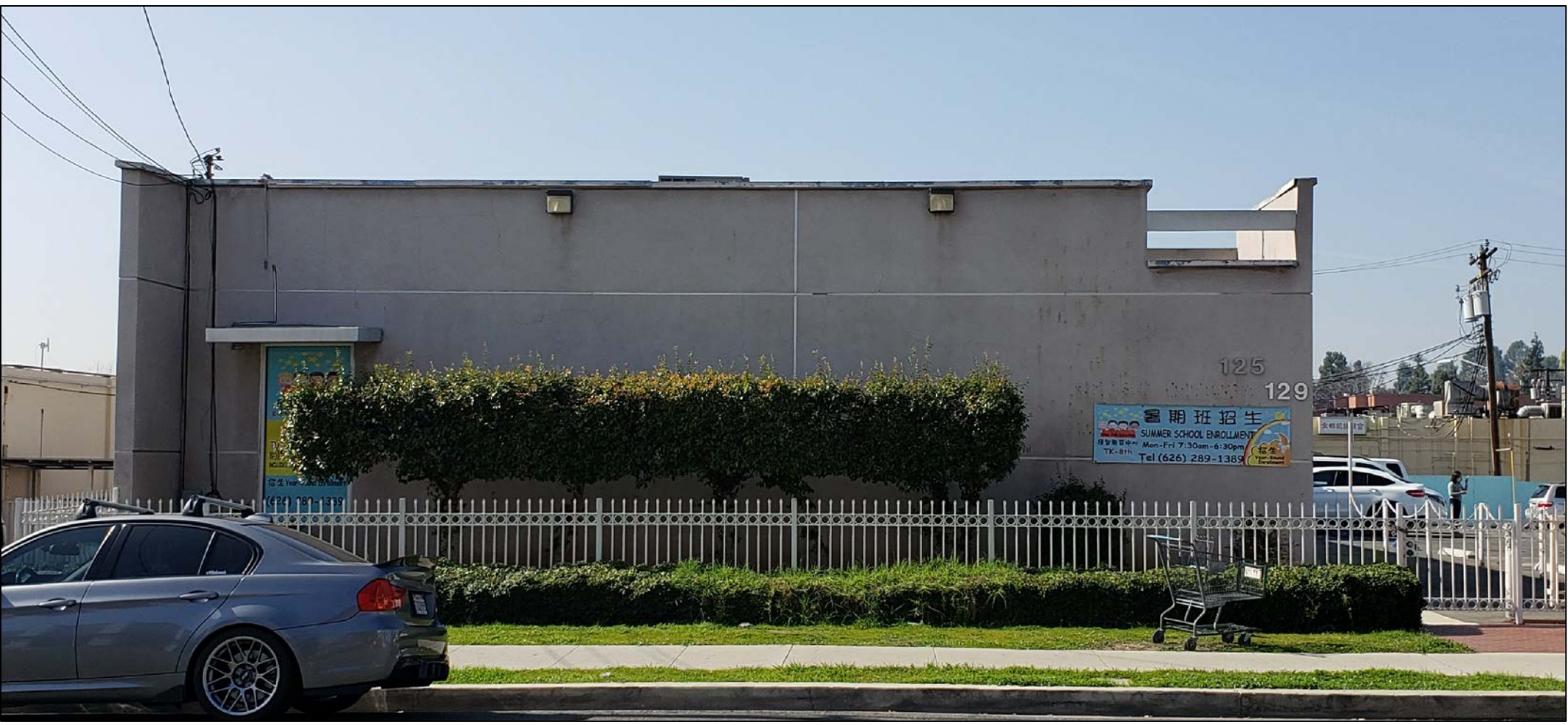


FRONT ELEVATION



FLOOR PLAN

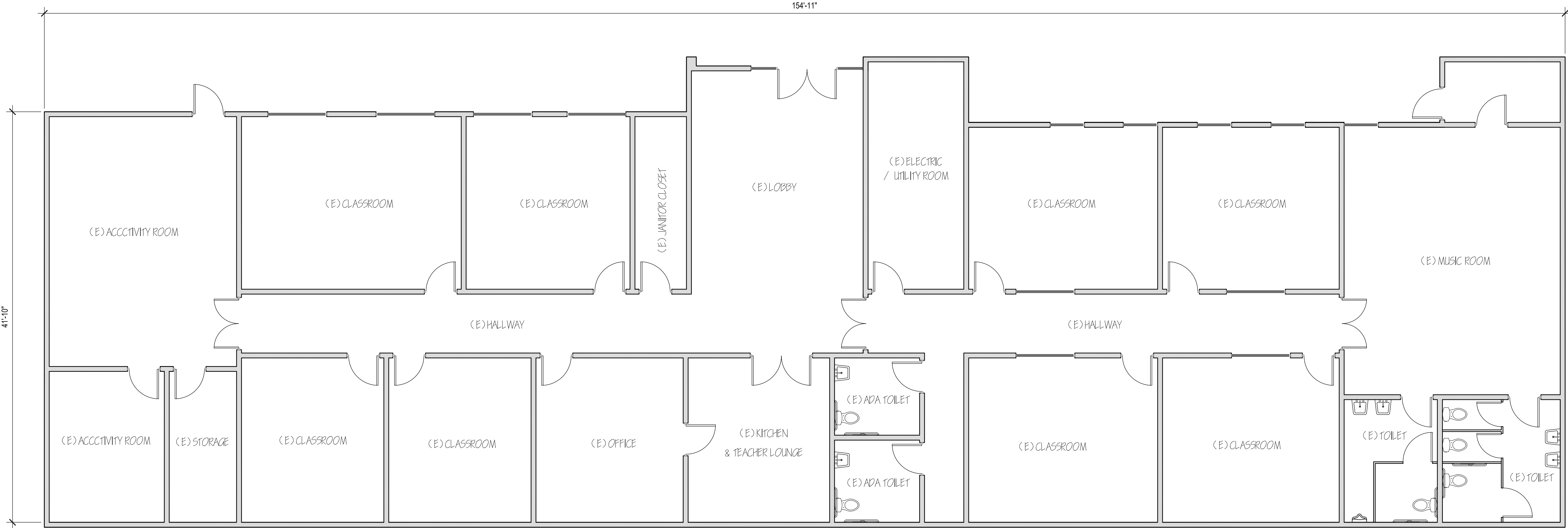
PROPOSED TRASH ENCLOSURE SCALE: 1/4"=1'-0"



EXISTING CHANDLER AVE (WEST) PHOTO ELEVATION SCALE: N.T.S



EXISTING NORTH PHOTO ELEVATION SCALE: N.T.S



FLOOR PLAN SCALE: 3/16" = 1'-0"

Revisions	By

JOE MORENO
(626) 350-5944
moreservices@sgglobal.net
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE ELM MONTE, CA 91732 - FAX (626) 350-1532

EXISTING FLOOR PLAN
&
PHOTO ELEVATIONS

STAKID PRESCHOOL
125-129 N. CHANDLER AVE
MONTEREY PARK CA. 91754
MAO QING (ANNIE) CHENG

Date	3 / 16 / 2021
Scale	AS NOTED
Drawn	MORENO
Job	21-029
Sheet	A2